

BARRY J. PORTMAN  
Federal Public Defender  
HILARY A. FOX  
Assistant Federal Public Defender  
555 12th Street, Suite 650  
Oakland, CA 94607  
Tel: (510) 637-3500  
Counsel for Defendant RAFAEL

RECEIVED

SEP 12 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

FILED

SEP 21 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MANUEL RAFAEL,

Defendant.

No. CR 05-0352-DLJ

STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE  
SENTENCING DATE

Date: Sept. 23, 2005  
Time: 10:00 a.m.  
Court: Hon. D. Lowell Jensen  
U.S. District Court

Defendant Manuel Rafael is currently scheduled to appear for sentencing on Sept 23, 2005, at 10:00 a.m. At this time, the draft presentence report has been completed and the parties have submitted their responses to the Probation Office. In order to afford a brief additional period of time for the parties to complete sentencing preparations and attempt to resolve some of the objections that have been raised, the parties submit this stipulation jointly to request that the sentencing hearing be continued for two weeks until October 7, 2005, at 10:00 a.m. Mr. Rafael is out of custody and has no objection to this brief continuance. The Probation Officer has no objection to the proposed continuance and will be available on October 7, 2005.

SO STIPULATED.

Dated: 9/12, 2005


MERRY JEAN CHAN  
Assistant United States Attorney

STIP & ORDER TO CONT SENT

- 1 -

1 SO STIPULATED.

2 Dated: SEP 12 2005  
3 ~~June 30, 2005~~


4   
HILARY A. FOX  
Attorney for Defendant RAFAEL

6  
7 ORDER

8 Good cause appearing therefore, and pursuant to the stipulation of the parties, it is the  
9 ORDER of this Court that the sentencing hearing currently scheduled for September 23, 2005,  
10 shall be continued until October 7, 2005, at 10:00 a.m.

11 IT IS SO ORDERED.

12 Dated: SEP 21, 2005

13   
D. LOWELL JENSEN  
United States District Court